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Letter dated 18 August 2004 from the Permanent Observer of the League of Arab States to the United Nations addressed to the Secretary-General

I have the honour to transmit the text of a letter addressed to you by Amre Moussa, Secretary-General of the League of Arab States (see annex) regarding the outcome of the extraordinary session of the Ministerial Council of the League of Arab States held on 8 August 2004. Enclosed herewith is resolution No. 6425 and the declaration issued at that session concerning the situation in Darfur (see enclosures).

In accordance with Article 54 of the Charter of the United Nations I should be grateful if you would have the text of the present letter, its annex and enclosures circulated as a document of the Security Council.

(*Signed*) Yahya **Mahmassani**
Ambassador

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Annex to the letter dated 18 August 2004 from the Permanent Observer of the League of Arab States to the United Nations addressed to the Secretary-General

17 August 2004

It gives me a great pleasure to inform you of the outcome of the extraordinary session of the Ministerial Council of the League of Arab States held on August 2004 concerning the situation in Darfur, with the participation of Professor Alpha Oumar Konare, Chairperson of the Commission of the African Union, and his special representative to Darfur, Hamid Algabid, as well as Jan Pronk, Special Representative of the United Nations Secretary-General for the Sudan, and Alhaji Abubakar A. Tanko, Minister of State for Foreign Affairs and Representative of the Federal Republic of Nigeria, the current presidency of the African Union. I also have the honour to enclose herewith resolution No. 6425 and the declaration issued at that session concerning the situation in Darfur.

In this regard, I would like to underline that the Council:

- Expressed its deep concern regarding developments in Darfur and the resulting human tragedy including the problem of refugees and displaced persons as well as its concern over reports regarding acts of violence committed against civilians and the violations of human rights on the part of different illegal militant groups, the Janjaweed included.
- Welcomed the steps taken by the Government of the Sudan in implementing its commitments and pledges in accordance with the joint communiqué of 3 July 2004 between the Government of the Sudan and the United Nations Secretary-General in relation to the situation in Darfur.
- Welcomed the agreement between the Secretary-General of the Arab League, the Foreign Minister of the Sudan and the Special Representative of the United Nations Secretary-General in relation to the participation of the Secretariat of the Arab League in the joint mechanism in charge of assessing the implementation of the commitments stipulated in the communiqué jointly issued by the Government of the Sudan and the United Nations Secretary-General on 3 July 2004.
- Called on all concerned parties to honour their commitments as stipulated in the ceasefire agreement signed in N'Djamena on 8 April 2004.
- Called on the two rebel movements to resume peace talks with the Government of the Sudan under the auspices of the African Union without preconditions in order to reach a political settlement for the crisis of Darfur.
- Called on the international community to allow an adequate time frame for the Government of the Sudan to implement its commitments and pledges as stipulated in its joint communiqué with the United Nations and in United Nations Security Council resolution 1556 (2004) and the Darfur Plan of Action reached on 5 August 2004 between the Sudanese Minister for Foreign Affairs and the Special Representative of the United Nations Secretary-General for the Sudan.
- Rejected any threats of forced military intervention in Darfur.

- Called for providing the necessary assistance to help repatriate refugees and displaced persons of Darfur away from any pressures that may lead to further negative consequences on the entire Sudanese people and complicate the Darfur crisis.

- Called on Arab and international donors to finance humanitarian assistance to the people of Darfur and to implement the pledges undertaken at the Geneva meeting in June 2004.

- Supported fully all the endeavours undertaken by the African Union in its efforts aimed at settling the Darfur crisis and called on member countries of the League of Arab States, especially those that are also members of the African Union, to actively participate in the monitoring team of the ceasefire agreement and provide protection for its members.

- Called for the participation of the League of Arab States in the mediation conducted under the auspices of the African Union between the Government of the Sudan and the rebel movements and in the subcommittees established in accordance with the ceasefire agreement reached in N'Djamena on 8 April 2004.

- Appealed for urgent financial, technical and logistical assistance to the Government of the Sudan in order to consolidate its efforts aiming to restore security and stability in Darfur.

- Called on member countries of the League of Arab States, the Arab organizations, specialized Arab ministerial councils and Arab non-governmental organizations to extend urgent humanitarian and technical assistance and stress direct Arab involvement in providing assistance to Darfur.

- Called on the negotiating parties to reach a comprehensive agreement as soon as possible and stresses the willingness of the member countries of the League of Arab States to provide the required assistance to secure the full implementation of the Agreement.

(*Signed*) Amre **Moussa**

Enclosure I

[Original: Arabic]

Resolution 6425
Development of the situation in Darfur

The Council of the League of Arab States, meeting in extraordinary session at the ministerial level,

Having considered:

- The note of the Republic of the Sudan on the subject, and heard the presentation given by His Excellency the Minister for Foreign Affairs of the Sudan on the efforts of the Sudanese Government to restore stability in Darfur and the steps it has taken to implement its commitments pursuant to the joint communiqué issued in Khartoum by the Government of the Sudan and the Secretary-General of the United Nations on 3 July 2004, United Nations Security Council resolution 1556 (2004), and the Plan of Action signed on 5 August 2004 by the Minister for Foreign Affairs of the Sudan and the Special Representative of the Secretary-General of the United Nations for the Sudan,
- The report of the mission of the League of Arab States which visited Darfur between 29 April and 15 May 2004,
- The declaration of the Third Summit of the African Union held in Addis Ababa on 8 July 2004 concerning Darfur, and the efforts of the African Union concerning this matter,

Recalling the communiqué issued by the Council of the Arab League meeting at the permanent representative level on 11 July 2004 concerning the question of Darfur, and the communiqué issued by the Special Committee on the Sudan on 27 July 2004 on that subject,

Welcoming the joint communiqué issued on 3 July 2004 by the Government of the Sudan and the Secretary-General of the United Nations, including the establishment of a Joint Implementation Mechanism for the undertakings and commitments contained in the communiqué, and the Darfur Plan of Action signed on 5 August 2004 by the Minister for Foreign Affairs of the Sudan and the Special Representative of the Secretary-General of the United Nations to the Sudan,

Reaffirming its commitment to respect, and ensure respect for, the sovereignty, territorial integrity and independence of the Sudan, and *calling on* all States actively to affirm that commitment,

Affirming the role of the African Union under the leadership of H.E. Mr. Olusegun Obasanjo, President of Nigeria, and H.E. Professor Alpha Oumar Konaré, Chairman of the Commission of the African Union, in addressing the situation in Darfur, and the readiness of the Arab League to cooperate closely with, and offer full support for, the efforts of the Union to strengthen the course of Arab-African cooperation in addressing issues of common concern,

Expressing its grave anxiety over the humanitarian crisis in the Darfur region and human rights violations, including attacks on civilians being carried out by extralegal groups and militias, and *urging* the parties to the crisis to take the steps

necessary to prevent continued human rights violations and put an immediate end to them,

Welcoming the commitment of the Government of the Sudan to investigate these violations and bring their perpetrators to justice,

Expressing its grave anxiety over reports of violations of the Ceasefire Agreement signed at N'Djamena on 8 April 2004,

Expressing its regret at the setback to political negotiations under the auspices of the African Union between the Sudanese Government, on the one hand, and the Sudan Liberation Movement and the Justice and Equality Movement, on the other, because of the insistence of the two movements on setting prior conditions to the negotiations, leading to a break in those negotiations,

Appreciating the support offered by some Arab States, and *urging* the rest of the Arab member States and Arab associations and non-governmental organizations to offer urgent humanitarian aid to victims of the crisis in Darfur,

Noting and welcoming the six protocols signed by the Government of the Sudan and the Sudan People's Liberation Movement in Nairobi, Kenya, on 5 June 2004, and the quest by both negotiating parties to reach a comprehensive peace agreement as soon as possible, and *stressing* the readiness of the member States and organizations of the Arab League to offer the support necessary to assure complete implementation of the agreement,

In order to embody the spirit of Arab solidarity with the Sudan and to provide the support necessary to the Sudanese Government to enable it to address and settle the crisis in Darfur on all levels, and to avoid the imposition of any sanctions on the Sudan by the Security Council,

1. *Expresses* its grave anxiety concerning the development of the situation in Darfur, the humanitarian crisis faced by emigrants in Darfur and refugees in Chad, and reports of violence against civilians and of human rights violations by all parties to the crisis and by extralegal armed groups including the Janjaweed;

2. *Welcomes* the steps taken by the Sudanese Government to implement its undertakings and commitments under the agreement signed on 3 July 2004 with the Secretary-General of the United Nations concerning the settlement of the crisis in Darfur;

3. *Welcomes* the agreement among His Excellency the Secretary-General of the League of Arab States, His Excellency the Minister for Foreign Affairs of the Sudan, and the Special Representative of the Secretary-General of the United Nations to the Sudan, on the inclusion of the General Secretariat of the League of Arab States in the joint mechanism of the Sudanese Government and the United Nations to evaluate the implementation of the commitments of the joint communiqué issued by them on 3 July 2004;

4. *Agrees* that the activities of rebel forces should be cantoned in agreed-upon locations, and that rebel militias should be disarmed by the Sudanese Government, simultaneously and under the auspices of the African Union;

5. *Welcomes* the efforts of the Independent Investigation Committee of the Sudan and *authorizes* the General Secretariat to work with the Government of the

Sudan to support the work of the Committee in its investigations of human rights violations in Darfur;

6. *Calls* on all parties for a complete commitment to the conditions stipulated by the Ceasefire Agreement signed in N'Djamena on 8 April 2002;

7. *Calls on* both of the rebel movements to resume peace talks with the Sudanese Government under the auspices of the African Union without prior conditions, with the goal of reaching a political solution to the crisis in Darfur;

8. *Calls on* the Security Council to allow a sufficient and appropriate time frame to the Sudanese Government to enable it to implement the undertakings and commitments contained in the joint communiqué that it issued with the United Nations, in Security Council resolution 1556 (2004) and in the Darfur Plan of Action issued by the Minister for Foreign Affairs of the Sudan and the Special Representative of the Secretary-General of the United Nations to the Sudan on 5 August 2004, *rejects* any suggestion of coercive military intervention in the region or the imposition of sanctions on the Sudan, *offers* the support necessary for the return of emigrants and refugees to their villages and farms, while eschewing any pressures or efforts to impose sanctions which can only result in instability and negative consequences for the Sudanese people as a whole and compound the crisis in Darfur, and *urges* international donors and the United Nations to lose no time in providing humanitarian funding to victims in Darfur and to refugees in Chad, and implementing the undertakings announced at the Geneva meeting last June;

9. *Offers* full Arab support to the African Union in its efforts to resolve the crisis in Darfur, and *calls on* the States members of the League of Arab States, and in particular those that are also members of the African Union, to participate actively in the ceasefire monitoring team and the African protection force;

10. *Requests* participation by the Arab League in ongoing mediation efforts involving the Sudanese Government under the auspices of the African Union, and in committees arising from the Ceasefire Agreement signed at N'Djamena on 8 April 2004;

11. *Offers* emergency financial, technical and logistical support to the Sudanese Government in support of its efforts to restore security and stability in Darfur, *calls* on member States, Arab organizations, special ministerial councils, and Arab non-governmental associations to offer emergency humanitarian aid and technical support, and *stresses* the need for an immediate Arab presence in Darfur to undertake the provision of humanitarian aid to the victims;

12. *Calls* on neighbouring States not to permit armed militias to reside in or move about their territory, and to adopt a constructive stance that will assist in a peaceful settlement to the situation in Darfur;

13. *Requests* that the Secretariat work in conjunction with the Sudanese Government to organize periodic visits to the Darfur region by a small committee of representatives of the States on the Committee on the Sudan, to coordinate Arab participation with African Union monitoring teams and humanitarian aid agencies, and the independent Sudanese fact-finding committee in Darfur, with a view to settling the crisis;

14. *Requests* the Secretary-General to make immediate contacts with international and regional parties, especially the permanent members of the Security

Council, to explain the Arab position on the crisis and to secure greater understanding and support for it, and to ensure that the Sudanese Government is given an adequate and suitable amount of time to deal with all the challenges of the crisis in Darfur;

15. *Requests* the Secretary-General to present a report on the implementation of this resolution to the upcoming regular session of the Council of the Arab League at the ministerial level.

Enclosure II

[Original: Arabic]

Communiqué of the Ministerial-level Council of the League of Arab States at its extraordinary session concerning the development of the situation in Darfur (8 August 2004)

The Council of the League of Arab States met in extraordinary session at the ministerial level at the request of Republic of the Sudan to consider the development of the situation in Darfur under the Chairmanship of H.E. Mr. Abbas El Fassi, Minister of State of the Kingdom of Morocco, and with the attendance of Professor Alpha Oumar Konaré, Chairman of the African Union Commission, and his Special Representative for Darfur, Mr. Hamid Al-Ghabid, Mr. Jan Pronk, Special Representative of the Secretary-General of the United Nations for the Sudan, H.E. Mr. Al-Haj Abu Bakr Tanko, Minister of State for Foreign Affairs of the Federal Republic of Nigeria representing H.E. Mr. Olusegun Obasanjo, President of the Federal Republic of Nigeria.

The Council considered all aspects of the developments in the situation in Darfur, particularly subsequent to the adoption of Security Council resolution 1556 (2004) of 30 July 2004 concerning the subject. It heard the presentation made by the Minister for Foreign Affairs of the Sudan concerning the efforts made and the steps taken by the Government of the Sudan to restore stability in Darfur, and the steps it had taken to comply with its obligations under its agreement with the United Nations and Security Council resolution 1556 (2004).

The Council welcomed the steps taken by the Government of the Sudan to comply with its undertakings and obligations under the agreement signed on 3 July 2004 with the Secretary-General of the United Nations concerning the resolution of the crisis in Darfur, particularly in the light of the following:

(a) The suspension by the Government of the Sudan of all entry visa restrictions for humanitarian workers, the registration of non-governmental organizations, and also its suspension of restrictions on the importation and use of humanitarian assistance materials and means of transport and communication;

(b) The deployment of a police force throughout the region, support for the work of the judicial system in the Darfur provinces, particularly in areas where emigrants are concentrated, the establishment of an independent commission to investigate human rights violations and the facilitation of its work, the authorization for the deployment of human rights monitors from the United Nations High Commission for Human Rights in Darfur and the dispatch of commissions of inquiry headed by women magistrates to receive complaints connected with rape, in compliance with the Sudan's obligation and undertaking to take measures to end impunity and to investigate breaches of human rights;

(c) The start of operations for the voluntary return of emigrants and refugees;

(d) The arrest of a number of leaders of the Janjaweed, their prompt arraignment before the courts and the passing of judicial sentences on some of them,

as a start to an extensive campaign to disarm the extralegal militias and bring them to justice;

(e) The responsiveness of the Government of the Sudan to the invitation by the African Union to resume talks unconditionally in Addis Ababa on 15 July 2004, talks which ended before they had begun because of the position of the two rebel movements and their insistence on prior conditions.

The Council confirmed its obligation to respect and to ensure respect for the sovereignty, territorial integrity and independence of the Sudan and called on all States actively to affirm that commitment.

The Council welcomed the positive cooperation of the Government of the Sudan and the steps taken by it to fulfil its undertakings under its agreement with the United Nations and its obligations to implement Security Council resolution 1556 (2004).

The Council also welcomed the agreement between the Secretary-General of the United Nations, the Minister for Foreign Affairs of the Sudan and the Special Representative of the Secretary-General for the Sudan to include the General Secretariat of the League of Arab States in the Joint Implementation Mechanism between the Government of the Sudan and the United Nations to evaluate the implementation of the obligations contained in the joint communiqué issued by them on 3 July 2004.

The Council called on the two rebel movements to resume peace talks with the Government of the Sudan under the auspices of the African Union and without prior conditions in order to achieve a political solution to the crisis in Darfur.

The Council emphasized that Arab-African interdependence, stemming from the historical continuity between the two sides and now reinforced by the current cooperation between them in all fields, refutes any allegations concerning the racial and ethnic nature of events in Darfur.

The Council expressed its appreciation of the role of the African Union headed by H.E. Mr. Olusegun Obasanjo, President of Nigeria, and H.E. Professor Alpha Oumar Konaré, Chairman of the Commission of the African Union, in addressing the situation in Darfur and the readiness of the Arab League to cooperate closely with, and offer full support for, the efforts of the Union to strengthen the course of Arab-African cooperation in addressing issues of common concern.

The Council decided to offer full Arab support to the endeavours of the African Union in guiding efforts to find a solution to the crisis in Darfur and to call on Arab States members of the League of Arab States, particularly those that are members of the African Union, to cooperate effectively in the Ceasefire Monitoring Group and its protection force. It also called for the participation of the Arab League in mediation efforts, under the auspices of the African Union, between the Government of the Sudan and the two rebel movements, and in the commissions stemming from the ceasefire agreement signed at N'Djamena on 8 April 2004.

The Council welcomed the announcement of the resumption of negotiations between the Government of the Sudan and the two rebel movements in the Nigerian capital of Abuja on 23 August 2004.

The Council also appealed to the international community to allow a sufficient and appropriate time frame to the Government of the Sudan to enable it to comply with its undertakings and obligations under its agreement with the United Nations and Security Council resolution 1556 (2004), to reject any suggestion of coercive military intervention in the region or the imposition of any sanctions on the Sudan, and to provide the necessary support for the return of the emigrants and refugees to their villages and farms, eschewing any pressure or attempts to impose sanctions which would give rise to nothing but insecurity and negative complications for the Sudanese people as a whole and would further exacerbate the crisis in Darfur, and to urge Arab and international donors to lose no time in funding the humanitarian needs of the victims in Darfur and to implement the undertakings announced at the Geneva meeting last June.

The Council requested the Secretary-General to establish urgent and intensive contacts with international and regional parties, particularly the permanent members of the Security Council, in order to explain the Arab position concerning the crisis and to secure greater understanding and support for it, and to ensure that the Government of the Sudan is given an adequate and appropriate time limit to address all the challenges of the crisis in Darfur.